

IV. Remarks

Claims 1, 7, 12 and 13 have been amended to define clearly the Applicant's invention and are believed to distinguish patentably over the prior art. Claim 11 has been cancelled without prejudice or disclaimer. New claims 16 to 20 have been added to define further aspects of the Applicant's invention. Claims 1 to 10 and 12 to 20 are now pending in the present application.

In the Official Action, the Examiner has rejected claims 1 and 13 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,070,479 to Nakagawa ("Nakagawa"). Claims 2, 9 and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Nakagawa in view of U.S. Patent No. 5,643,086 to Alcorn et al. ("Alcorn"). Claims 3 to 8 have been rejected over Nakagawa and Alcorn in view of U.S. Patent No. 5,325,201 to Herz ("Herz"). Claims 14 and 15 have been rejected under 35 U.S.C. §103 (a) as being unpatentable over Nakagawa and Herz. Applicant respectfully submits that the Examiner's rejections in view of the cited references are inappropriate for the reasons set forth below.

Independent claim 1 has been amended to include the allowable subject matter of dependent claim 11. Accordingly, Applicant respectfully submits that independent claim 1 distinguishes patentably over the cited prior art and should be allowed. As claims 2 to 10, 12 and 16 to 20 are dependent either directly or indirectly on independent claim 1, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed.

Independent claims 13 has been amended to incorporate the allowable subject matter of claim 11. Accordingly, Applicant respectfully submits that claim 13 distinguishes patentably over the prior art and should be allowed. As claims 14 and 15 are dependent either directly or indirectly on independent claim 13, Applicant respectfully submits that these claims should also be allowed.

The title has been amended as suggested by the Examiner. The abstract has been amended to correct the typographical errors noted by the Examiner.

Additionally, Applicant notes that the Examiner has not returned the initial versions of the PTO 1449 forms associated with the Information Disclosure Statements submitted on October 10, 2001 and January 26, 2004. Applicant respectfully requests such be provided with the next official communication.

In view of the above, it is believed the application is in order for allowance and action to that end is respectfully requested.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



C. Douglass Thomas
Reg. No. 32,947

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300